

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

CHARLES BENJAMIN KILLSFIRST,)
Petitioner,)
v.) Case No. CIV-23-1076-J
RANDY HARDING,)
Respondent.)

ORDER

Petitioner, a pro se state prisoner, filed a petition for habeas corpus under 28 U.S.C. § 2254. This matter was referred to United States Magistrate Judge Amanda Maxfield Green consistent with 28 U.S.C. § 626(b)(1)(B). [Doc. No. 5]. Thereafter, Judge Green issued a Report and Recommendation recommending the Court deny Petitioner's application for leave to proceed in forma pauperis and if Petitioner does not pay the \$5.00 filing fee in full to the Clerk of Court within twenty-one days of any order adopting the Report and Recommendation, that this action be dismissed without prejudice to refiling. [Doc. No. 6]. On December 18, 2023, Petitioner paid the \$5.00 filing fee.

Upon review of the Report and Recommendation, and in light of Petitioner's payment of the filing fee, the Court ADOPTS the Report and Recommendation [Doc. No. 6], DENIES Petitioner's Application to Proceed in District Court without Repaying Fees or Costs [Doc. No. 2], and REFERS this case back to Judge Green for further proceedings.

IT IS SO ORDERED this 19th day of December, 2023.

Bernard M. Jones
BERNARD M. JONES
UNITED STATES DISTRICT JUDGE